

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PETER PAIZ,

Plaintiff,

No. C 09-02576 JSW

v.

CHASE, et al.,

ORDER TO SHOW CAUSE

Defendants.

Upon reviewing the Amended Complaint in this matter, it appears as though Venue is not proper in the Northern District of California. Instead, venue appears to be proper in the Eastern District of California. A civil action in which jurisdiction is premised on federal question may be brought only in a judicial district (1) where any defendant resides, if all defendants reside in the same State, (2) in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of the property that is the subject of the action is situated, or (3) in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). If venue is improper, a district court has discretion to either dismiss the action, or in the interest of justice, transfer the action to a district in which it could have been brought. 28 U.S.C. § 1406(a).

According the Amended Complaint, only one of the named defendants resides in California, and none of the named defendants appear to reside in the Northern District. Therefore, venue would not be proper in the Northern District pursuant to 28 U.S.C. §§ 1391(b)(1) or (b)(3). Moreover, the property that is the subject of this action is situated in the

1 Eastern District, not the Northern District. Accordingly, venue would not be proper in the
2 Northern District pursuant to 28 U.S.C. § 1391(b)(2). Thus, the Court HEREBY ORDERS
3 Plaintiff Peter Paiz to Show Cause in writing by no later than **July 22, 2009** why this action
4 should not be transferred to the Eastern District of California, the district in which the property
5 that is the subject of this action is situated.

6 **IT IS SO ORDERED.**

7
8 Dated: July 14, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PETER PAIZ,

Plaintiff,

v.

CHASE et al,

Defendant.

Case Number: CV09-02576 JSW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 14, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Peter Paiz
1830 Avenida Martina
Roseville, CA 95747

Dated: July 14, 2009



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk